

MP-424

DRAMATICO-  
Musical  
Comp.

MEMORANDUM

February 24, 1940

Remitter: Edward Potter (9647)--Class E

Title: "Noblesse Oblige"

Question: Is classification "musical composition" applicable to ballet-pantomime with music?

Application has been filed for this work in behalf of Lisa Gardiner. The copy filed consists of some eight pages of music. In the space of the musical composition usually reserved for the words the applicant has written instructions to the performers taking part in the ballet-pantomime. It should be noted that in the space of the application provided for the name of the author of the words the following statement appears: "Scenario & choreography by Lisa Gardiner."

The Examiner recommends that a new application be filed, omitting any reference to scenario and choreography and the copy be returned with the request that only music be submitted. Mrs. Brady, Mr. Smith and Mr. Pierce sustain the action of the Examiner. Mr. Wise on the other hand takes the position that the work submitted is subject matter of copyright. It seems somewhat in the nature of a dramatico-musical composition. The story is told entirely by pantomime and action, no words being spoken by the actors. There seems to be no reason why a dramatic composition cannot be portrayed in this manner, and in view of the music in connection therewith registration as a dramatico-musical composition seems to be in order. Application accordingly in his opinion should be filed on Form D-4.

Respectfully submitted,

*W. Howey Wise Jr.*  
Chairman, Revisory Board

Register as D4--order of Mr. Howell 2/24/40

CLASSIFICATION

SEE DRAMATICO-MUSICAL COMP.

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See main memo under "Dramatico-Musical Comp."



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